



SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service ("APHIS"), and Jeanine M. Dyer, DBA Bybee Ridge Kennel, with reference to the following facts:

1. At all times mentioned herein, Jeanine M. Dyer, DBA Bybee Ridge Kennel operated as a Dealer under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (the "AWA") at the facility located at 521 Joe Reed Road, Bybee, TN 37713.

2. APHIS has documented evidence of Jeanine M. Dyer, DBA Bybee Ridge Kennel's non-compliance with the AWA and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and specifically, has documented evidence of Jeanine M. Dyer, DBA Bybee Ridge Kennel's failure to provide adequate veterinary care and meet minimum standards for facility construction and maintenance as required by the AWA regulations and AWA standards for the humane handling and treatment of animals (9 C.F.R. §§ 2.40, 3.1, 3.3, 3.4, 3.6, 3.9, 3.11).

3. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph 2.

4. APHIS and Jeanine M. Dyer, DBA Bybee Ridge Kennel have determined to settle the issues related to the potential violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

5. Jeanine M. Dyer, DBA Bybee Ridge Kennel admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.

6. Jeanine M. Dyer, DBA Bybee Ridge Kennel consents and agrees to the following:

a. Jeanine M. Dyer, DBA Bybee Ridge Kennel, agrees pay a \$20 civil penalty, which has been paid as of March 8, 2013.



b. As of the date Jeanine M. Dyer, DBA Bybee Ridge Kennel signs this Settlement Agreement, AWA license 63-A-0171 is hereby revoked.

c. Jeanine M. Dyer, DBA Bybee Ridge Kennel and any partnerships, firms, corporations or other legal entities that she controls or in which she has a substantial interest, financial or otherwise, are permanently disqualified from (a) obtaining an Animal Welfare Act license, and (b) engaging in activities governed by the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) and regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*), either directly or indirectly, on or off 521 Joe Reed Road, Bybee, TN 37713.

7. Jeanine M. Dyer, DBA Bybee Ridge Kennel consents and agrees that her failure to comply with the terms of this Settlement Agreement shall automatically void paragraph 8 below, and that APHIS shall have the right to immediately institute enforcement proceedings against Jeanine M. Dyer, DBA Bybee Ridge Kennel based upon the non-compliant items documented at 521 Joe Reed Road, Bybee, TN 37713, in connection with animal welfare investigation TN10142-AC, and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

8. For and in consideration of Jeanine M. Dyer, DBA Bybee Ridge Kennel's agreements and actions described in paragraph 6 above, and the promises and admissions of Jeanine M. Dyer, DBA Bybee Ridge Kennel set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against Jeanine M. Dyer, DBA Bybee Ridge Kennel in connection with the alleged AWA violations documented in animal welfare investigation TN10142-AC, and also agrees to reduce the outstanding civil penalty to the \$20 already paid.

APHIS and Jeanine M. Dyer, DBA Bybee Ridge Kennel warrant and represent that their respective representatives, whose signatures appear below, have the authority to execute this



Settlement Agreement and to bind each of the parties, respectively, to this Settlement Agreement.

Jeanine M. Dyer, DBA Bybee Ridge Kennel

Signature: _____

Date: 4-4-13

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Signature: _____

Robert J. _____

Acting Director

Investigative and Enforcement Services
Animal and Plant Health Inspection Service
United States Department of Agriculture

Date: 4/9/2013

